

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

4.3.0 2008

GERSON NUNEZ,
Defendant,

)

D.C. NO.: A99-0036-HRH

vs.

)

UNITED STATES OF AMERICA,
Respondent.

)

)

Hon. H. Russel Holland
U.S. District Judge

)

)

ORDER REDUCING SENTENCE TO TIME SERVED

This matter having come before the Court upon the motion of the Defendant for reduction of sentence pursuant to 18 U.S.C. §3582(c), and the Court having found that the retroactive amendment to the crack cocaine guidelines reduces the base offense level 2 points, and further recognizing the recent holding in Kimbrough v. United States, 2007 U.S. Lexis 13082 (Dec. 10, 2007) that the crack cocaine guidelines are advisory.

IT IS HEREBY ORDERED that the term of imprisonment originally imposed is reduced to time served as of this _____ day of _____.

Honorable H. Russel Holland
United States District Judge